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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**  
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11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 ERIC ROMERO-LOBATO,  
15 Defendant.  
16

Case No. 3:18-cr-00049-LRH-CLB

**ORDER GRANTING  
STIPULATION TO CONTINUE  
SENTENCING HEARING  
(FIRST REQUEST)**

17 IT IS HEREBY STIPULATED AND AGREED by and through RENE L.  
18 VALLADARES, Federal Public Defender and CHRISTOPHER P. FREY, Assistant Federal  
19 Public Defender, counsel for ERIC ROMERO-LOBATO; and JASON M. FRIERSON, United  
20 States Attorney, and MEGAN RACHOW, Assistant United States Attorney, counsel for the  
21 UNITED STATES OF AMERICA, that the Sentencing hearing set for January 12, 2023, at  
22 11:00 AM, be vacated and continued to April 6, 2023 at 1:30 PM.  
23

24 The continuance is necessary for the following reasons:  
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1           1.       This is a defense request with no objection from the government due to the  
2 pending Petition for Writ of Certiorari.

3           2.       The additional time requested by this Stipulation is reasonable pursuant to  
4 Federal Rule of Criminal Procedure 32(b)(2), which states that the “court may, for good cause,  
5 change any time limits prescribed in this rule.”  
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7           3.       Both counsel request this additional time in order to allow adequate time to  
8 research sentencing issues and to prepare for the sentencing hearing.

9           4.       Mr. Romero-Lobato is detained and agrees to the continuance. Specifically, Mr.  
10 Romero-Lobato was informed that the continuance will allow defense counsel to continue to  
11 gather documents in support of the hearing and provide continuity of counsel.  
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13           5.       Mr. Romero-Lobato has a pending Petition for Writ of Certiorari with the U.S.  
14 Supreme Court filed January 5, 2023 regarding U.S. District Court Case No. 3:18-CR-0049-  
15 LRH-CLB/Ninth Circuit Court of Appeals case number 20-10280.  
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17           6.       This is the first request for continuance of the sentencing hearing.

18           DATED this 9<sup>th</sup> day of January, 2023.

19           RENE L. VALLADARES  
20           Federal Public Defender

              JASON M. FRIERSON  
              United States Attorney

21           By /s/ Christopher P. Frey

              By /s/ Megan Rachow

22           CHRISTOPHER P. FREY  
23           Assistant Federal Public Defender  
24           Counsel for  
25           ERIC ROMERO-LOBATO  
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              MEGAN RACHOW  
              Assistant United States Attorney  
              Counsel for the Government

**ORDER**

Based on the Stipulation of counsel, and good cause appearing,

IT IS THEREFORE ORDERED that the Sentencing Hearing currently set for January 12, 2023, at 11:00 AM, be vacated and continued to April 6, 2023 at 1:30 PM before Judge Larry R. Hicks in Reno Courtroom 3.

IT IS SO ORDERED.

DATED this 9th day of January, 2023.



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UNITED STATES DISTRICT JUDGE